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10/014,380

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Baoquan Zhang

1711

1049

7590

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EXAMINER

SING, SIMON P

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 02/12/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/014,380

Applicant(s)

ZHANG, BAOQUAN

Examiner

Simon Sing

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-3, 5, 6, 8-12, 26, 27 and 32-36 rejected under 35 U.S.C. 102(b) as being anticipated by White et al. US Patent No. 6,069,890

1.1 Regarding claim 1, White discloses an Internet telephone service in figure 8.

White teaches:

receiving a request to connect a call from a caller at telephone 100 (originating subscriber entity) to a caller party's mail box (destination subscriber entity), including a prefix \*84 (management code) followed by a destination directory number (first type) of the telephone 118 (caller party) (column 16, lines 10-22);

converting the destination directory number into an internet address (second type) in response to the prefix \*84 (column 16, lines 53-61);

receiving a message from the caller and voice mail system 574, and sending the message to the called party' mailbox (column 16, lines 23-61).

1.2 Regarding claim 2, White teaches that LEC 102 and gateway 104 have computer programs (software of applications) to perform the task of claim 1 above (column 16, lines 23-61).

1.3 Regarding claim 3, White further teaches that the voice message can be send to a voice capable computer 127, or the voice message can be converted to text and sent to the called party as an e-mail message (column 10, lines 53-65; column 11, lines 29-55).

1.4 Regarding claim 5, White teaches that the destination directory number maybe coded (appended) into the destination directory number dialed (column 16, lines 10-13; column 8, lines 30-32).

1.5 Regarding claim 6, White further teaches that the caller may enter an Internet domain name (IP address) (column 6, lines 57-63; column 10, lines 21-27, 53-65), and it is inherent that the designation LEC 114 is capable for connecting to a wireless network for providing service to a mobile telephone.

1.6 Regarding claim 8, White teaches that LEC 514 receives a call request from the caller (column 16, lines 3-8, 28-52).

1.7 Regarding claim 9, White teaches that a switching system (SSP 514) has a controller for routing the caller to voice mail system 174 (voice command platform) for prompting the caller to leave a voice message (column 16, lines 3-8).

1.8 Regarding claim 10, White teaches that the voice mail prompted the caller to leave a voice message (column 16, lines 14-17, 23-24).

1.9 Regarding claims 11 and 12, White teaches a database 112 for converting a telephone number into an Internet address (column 7, lines 65-67; column 16, lines 53-61), and the database 112 maybe located in an ISCP (service control point) or an Intelligent Peripheral (column 8, lines 7-9).

1.10 Regarding claim 26, White discloses an Internet telephone service in figure 2, comprising:

a SSP (CO 50) (network entity) receiving a call request from a caller at telephone 56 (column 17, lines 3-8), the request including a destination directory number (first type) of called telephone 58 and a prefix \*82 (management code) (column 5, lines 52-63);

responsive to the prefix, SSP sending an inquiry message to an ISCP (second network entity) for routing instruction (column 5, lines 64-67; column 6, lines 1-12);

the ISCP, including a database 112 (column 8, lines 6-8), converting the destination directory number into an IP address (second type) associated with the destination directory number (column 6, lines 57-63) and instructing the SSP to rout the call through Internet (column 6, lines 13-56), and providing the IP address to the Internet module 72 (a second network entity).

1.11 Regarding claim 27, White further teaches that the caller may enter an Internet domain name (IP address) (column 6, lines 57-63; column 10, lines 21-27, 53-65), and it is inherent that the designation LEC 114 is capable for connecting to a wireless network for providing service to a mobile telephone.

1.12 Regarding claim 32, White discloses an Internet telephone service in figure 8, comprising:

a switching system 514, a LEC 102 and a Gateway 104 and a voice mail system 574 (together as a network entity) for providing a message to a called party at telephone 568 in a communication system 120, the voice mail system 574 received a call from a caller at telephone 562 (subscriber entity), with a prefix \*84 and destination directory number (first type) (column 16, lines 3-13);

prompting the caller to leave a voice message (column 16, lines 14-17, 23-24);  
and

determining the an Internet address (second type) using the destination directory number based on the prefix (column 6m, lines 67-63; column 8, lines 57-65; column 16, lines 53-61).

1.13 Regarding claim 33, the voice mail system 574 is a voice command platform, because in voice messaging systems, voice menus are used to guide users to navigate the voice messaging systems.

1.14 Regarding claim 34, White teaches receiving routing instructions from an ISCP (second network entity) (column 16, lines 28-61).

1.15 Regarding claim 35, the ISCP is a service controller (service control point).

1.16 Regarding claim 36, White teaches the network entity determines the second type of identifier using the prefix as in figure 4 (column 8, lines 35-56).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4, 7 and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. US Patent No. 6,069,890 in view of Goldberg et al. US Patent No. 6,304,636.

2.1 Regarding claims 4 and 7, White teaches converting a voice message into text form, such as an e-mail message (column 11, lines 42-55), but fails to teach that the conversion is performed by the voice mail system 574 (voice command entity).

However, Goldberg discloses a method for forwarding voice messages to called party using e-mail in figures 1 and 2. Goldberg teaches receiving a voice message at a voice messaging system (column 2, lines 49-52; column 3, lines 11-13), converting the voice message into text and send to the called party as an e-mail message (column 2, lines 14-17; column 3, lines 14-21, 25-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the White's reference with the teaching of Goldberg, so that voice-to-text (e-mail) conversing would have been performed at the voice mail system 574 and sent to the called party's e-mail address, because such a modification would have clarified the teaching of White and would have enhanced White's system as a multimedia system.

2.2 Regarding claim 13, White discloses an Internet telephone service in figure 8. White teaches:



receiving a request to connect a call from a caller at telephone 100 (originating subscriber entity) to a caller party's mail box (destination subscriber entity), including a prefix \*84 (management code) followed by a destination directory number (first type) of the telephone 118 (caller party) (column 16, lines 10-22);

converting the destination directory number into an internet address (second type) in response to the prefix \*84 (column 16, lines 53-61);

receiving a message from the caller and voice mail system 574, and sending the message to the called party' mailbox (column 16, lines 23-61).

White further teaches that the voice message can be send to a voice capable computer 127, or the voice message can be converted to text and sent to the called party as an e-mail message (column 10, lines 53-65; column 11, lines 29-55). White fails to explicitly teach converting the destination directory number into an e-mail address and converting the voice message into an e-mail message.

However, Goldberg discloses a method for forwarding voice messages to called party using e-mail in figures 1 and 2. Goldberg teaches receiving a voice message at a voice messaging system (column 2, lines 49-52; column 3, lines 11-13), sending the voice message as an e-mail attachment, or converting the voice message into text and send to the called party as an e-mail message (column 2, lines 14-17; column 3, lines 14-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the White's reference with the teaching of Goldberg, so that voice-to-text (e-mail) conversion would have been performed at the

voice mail system 574 and sent to the called party's e-mail address, because such a modification would have clarified the teaching of White and would have enhanced White's system as a multimedia system.

2.3 Regarding claim 14, the White's reference, modified by Goldberg, teaches that LEC 102, gateway 104 and voice mail system 574 have computer programs (software of applications) to perform the task of claim 13 above (column 16, lines 23-61).

2.4 Regarding claim 15, White further teaches that the caller may enter an Internet domain name (IP address) (column 6, lines 57-63; column 10, lines 21-27, 53-65), and it is inherent that the designation LEC 114 is capable for connecting to a wireless network for providing service to a mobile telephone.

2.5 Regarding claim 16, White further teaches:

    sending an inquiry message to an ISCP (service control point) for routing instruction (column 16, lines 28-33);

    the ISCP, including a database 112 (column 8, lines 6-8), converting the destination directory number into an Internet address and instructing the LEC 102 to rout the call through Gateway 104 and Internet 106 (network entity) (column 16, lines 33-61); and

    prompting the caller to leave a message (by voice mail system 574) as discussed in claim 13.

2.6 Regarding claim 17, White teaches routing the call to a voice mail system (voice command platform) 576 (column 16, lines 53-61).

2.7 Regarding claim 18, as discussed in claim 13 above, the modified voice mail system (voice command platform) 574 converts the destination directory number into an e-mail address.

2.8 Regarding claim 19, it is inherent that the modified voice mail system 574 has a controller for converting the destination directory number into an e-mail address.

2.9 Regarding claim 20, the modified White's system, teaches providing e-mail address to the voice mail system, receiving a voice message and sending the voice message as an e-mail attachment to the called party's e-mail address (see claim 13).

2.10 Regarding claim 37, White further teaches that the voice message can be sent to a voice capable computer 127, or the voice message can be converted to text and sent to the called party as an e-mail message (column 10, lines 53-65; column 11, lines 29-55). White fails to explicitly teach converting the destination directory number into an e-mail address and converting the voice message into an e-mail message.

However, Goldberg discloses a method for forwarding voice messages to called party using e-mail in figures 1 and 2. Goldberg teaches receiving a voice message at a

voice messaging system (column 2, lines 49-52; column 3, lines 11-13), sending the voice message as an e-mail attachment, or converting the voice message into text and send to the called party as an e-mail message (column 2, lines 14-17; column 3, lines 14-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the White's reference with the teaching of Goldberg, so that voice-to-text (e-mail) conversion would have been performed at the voice mail system 574 and sent to the called party's e-mail address, because such a modification would have clarified the teaching of White and would have enhanced White's system as a multimedia system.

3. Claims 21, 22, 24 and 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. US 6,069,890 in view of O'Donovan US Patent No. 6,396,908.

3.1 Regarding claim 21, White discloses an Internet telephone service in figure 2, comprising:

a SSP (CO 50) (first network entity) receiving a call request from a caller at telephone 56 (first subscriber entity) (column 17, lines 3-8), the request including a destination directory number (first type) of called telephone 58 and a prefix \*82 (management code) (column 5, lines 52-63);

responsive to the call request, including the prefix, SSP sending an inquiry message to an ISCP (second network entity) for routing instruction (column 5, lines 64-67; column 6, lines 1-12);

the ISCP, including a database 112 (column 8, lines 6-8), converting the destination directory number into an IP address (second type) associated with the destination directory number (column 6, lines 57-63) and instructing the SSP to rout the call through Internet (column 6, lines 13-56).

White further teaches that the called telephone 58 is busy (column 6, lines 6-12), but fails to teach voice mail systems (third network entity) in the Internet modules 72 and 74 of figure 2 for receiving the IP address and prompting the caller to leave a voice message, and sending the voice message to the IP address in case the called telephone 58 is busy.

However, O'Donovan discloses a similar system in figure 6. O'Donovan teaches that when a called telephone 72B is busy (column 9, lines 2-6), a calling party at telephone 72A is routed to voice mail system 76A (third network entity) (column 9, lines 23-38) with the data (IP) address of called telephone 72B (column 6, lines 29-38; column 8, lines 6-17), and a voice message is recorded and sent to telephone 72B via Internet 70 (column 9, lines 28-36).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the White's reference with the teaching of O'Donovan, so that voice mail systems would have been included, and the IP address would have been provided to the voice mail systems, enabling the voice mail systems to

prompt a caller to leave a voice message and send the voice message via Internet to the called party in case the called party was not available, because such a modification would have enhanced White's system with voice mail systems to better serve its subscribers (White teaches voice mail systems in other embodiments).

3.2 Regarding claim 22, as discussed in claim 21 above, the first network entity comprises a SSP (switch), the second network entity comprises a network controller (service control point), and the third network entity comprises a voice mail system (voice command platform).

3.3 Regarding claim 24, White further teaches that the caller may enter an Internet domain name (IP address) (column 6, lines 57-63; column 10, lines 21-27, 53-65), and it is inherent that the designation LEC 114 is capable for connecting to a wireless network for providing service to a mobile telephone.

3.4 Regarding claim 28, White teaches a service controller (ISCP), but fails to teach the Internet module 72 (second network entity) comprising a voice mail system (voice command platform).

However, O'Donovan discloses a similar system in figure 6. O'Donovan teaches that when a called telephone 72B is busy (column 9, lines 2-6), a calling party at telephone 72A is routed to voice mail system 76A (third network entity) (column 9, lines 23-38) with the data (IP) address of called telephone 72B (column 6, lines 29-38; column

8, lines 6-17), and a voice message is recorded and sent to telephone 72B via Internet 70 (column 9, lines 28-36).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the White's reference with the teaching of O'Donovan, so that voice mail systems would have been included, and the IP address would have been provided to the voice mail systems, enabling the voice mail systems to prompt a caller to leave a voice message and send the voice message via Internet to the called party in case the called party was not available, because such a modification would have enhanced White's system with voice mail systems to better serve its subscribers (White teaches voice mail systems in other embodiments).

3.5 Regarding claim 29, as discussed in claim 26, White's system comprises an ISCP, or service controller for receiving a call request message from SSP 50.

3.6 Regarding claim 30, as discussed in claim 28 above, the White's reference, modified by O'Donovan, teaches a voice mail system and routing the call to the voice mail system in case the called party is not available.

3.7 Regarding claim 31 (it should depends on claim 28, not 27, correction required), as discussed in claim 28 above, the White's reference, modified by O'Donovan, teaches a voice mail system for prompting the caller to leave a voice message and send the voice message to the called party using the Internet address.

4. Claims 23-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. US 6,069,890 in view of O'Donovan US Patent No. 6,396,908 and further in view of Goldberg et al. US Patent No. 6,304,636.

The White's reference, modified by O'Donovan, teaches forwarding a voice message to a called party via Internet. White further teaches that the voice message can be send to a voice capable computer 127, or the voice message can be converted to text and sent to the called party as an e-mail message (column 10, lines 53-65; column 11, lines 29-55). White fails to explicitly teach converting the destination directory number into an e-mail address and converting the voice message into an e-mail message.

However, Goldberg discloses a method for forwarding voice messages to called party using e-mail in figures 1 and 2. Goldberg teaches receiving a voice message at a voice messaging system (column 2, lines 49-52; column 3, lines 11-13), sending the voice message as an e-mail attachment, or converting the voice message into text and send to the called party as an e-mail message (column 2, lines 14-17; column 3, lines 14-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the White's reference with the teaching of Goldberg, so that voice-to-text (e-mail) conversion would have been performed at the voice mail system 574 and sent to the called party's e-mail address, because such a



modification would have clarified the teaching of White and would have enhanced White's system as a multimedia system.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) US 6,483,899 (AGRAHARAM et al) discloses a voice messaging system for converting a voice message into text and sending the text message as an e-mail message to a recipient.


b) US 6,185,204 (VOIT) discloses Internet phone to cellular phone.

c) US 6,078,579 (WEINGARTEN) teaches making telephone calls over Internet, by dialing an e-mail address, an IP address, or a telephone number alone or in combination with an IP address.

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

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Art Unit: 2645

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S.S.

02/05/2004

WEN HONG  
SUPERVISOR/EXAMINER  
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